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- (71) Applicant (for all designated States except US): NMT MEDICAL, INC. [US/US]; 27 Wormwood Street, Boston, MA 02210 (US).
- (72) Inventors; and
- (75) Inventors/Applicants (for US only): OPOLSKI, Steven [US/US]; 330 Fiske Street, Carlisle, MA 01741 (US). FORDE, Sean [US/US]; 16 Frank Street, Watertown, MA 02472 (US).
- (74) Agent: MOORE, Ronda, P.; Testa, Hurwitz & Thibeault, LLP, High Street Tower, 125 High Street, Boston, MA 02110 (US).

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(54) Title: SUTURE SEVER TUBE

(57) Abstract: An apparatus for cutting a suture. In one embodiment the suture cutting apparatus includes a distal cutting end and a proximal control end. The apparatus also includes a first tube defining a lumen, and a second tube located and movable within the lumen of the first tube. The second tube defines a lumen and includes a lever arm pivotably attached at the distal cutting end of the apparatus. The lever arm has a cutting edge that is held away from the longitudinal axis of the second tube when the lever arm is located within the first tube, and is biased toward the longitudinal axis of second tube when the lever arm is outside of the first tube.



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#### **Suture Sever Tube**

#### Reference to Related Applications

[0001] This application claims priority to and benefit of U.S. Provisional Patent Application No. 60/501,949, filed September 11, 2003, the entire disclosure of which is incorporated by reference herein.

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#### Field of the Invention

[0002] The invention relates to medical instruments for cutting sutures in general and more particularly to devices for cutting sutures remotely such as sutures secured to an intracardiac septal occluder implanted in a patient by a percutaneous route.

#### **Background**

[0003] Sutures, as components of a percutaneous delivery system, can provide the system with a method to remotely control an implant, such as an intracardiac septal occluder, during implantation. Since it is not uncommon for a delivery system to be four feet long or more in order to traverse a vessel, any suture that might extend through the delivery system would be at least as long. In a case where this suture needs to be released from the implant to which it is tethered following remote placement of the implant, it would be undesirable and possibly disruptive to the implant's integrity and position, to disengage the suture by unthreading an entire four feet of suture through the implant. A more desirable, and less disruptive approach, might be to remotely sever the suture, adjacent to the implant, to allow for efficient unthreading of a shorter section of the suture from the implant.

#### Summary of the Invention

[0004] The invention generally relates to an apparatus for cutting a suture. More particularly, an apparatus for cutting sutures remotely such as sutures secured to an intracardiac septal occluder implanted in a patient by a percutaneous route.

In one aspect, the invention relates to a suture cutting apparatus including a distal cutting end and a proximal control end. The distal cutting end further includes a first tube defining a lumen, and a second tube, located and slideably movable within the lumen of the first tube, the second tube defining a lumen and further including a cutting edge.

[0006] In a particular embodiment, the apparatus includes a lever arm having a proximal end and a distal end, and a second tube with a slot for receiving the lever arm. In a further embodiment of the apparatus, the lever arm contains a pivot positioned on the lever arm. In one embodiment, the lever arm is pivotably attached to the distal cutting end of the second tube. Alternatively, the lever arm is flexibly attached to the distal cutting end of the second tube. In one embodiment of the apparatus including a lever arm, the cross section of the lever arm is generally U-shaped.

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[0007] In a further embodiment of the apparatus including a lever arm, the cutting edge may be positioned on the distal end of the lever arm. In still another embodiment, the lever arm is parallel to the longitudinal axis of the second tube while the lever arm is located within the lumen of the first tube, and forms an angle relative to the longitudinal axis of the second tube while the lever arm is outside the lumen of the first tube. The angle is in the range of 0-90°. In one embodiment, while the lever arm is outside the lumen of the first tube, the cutting edge is angled towards the longitudinal axis of the second tube. Alternatively, the cutting edge is substantially perpendicular to the longitudinal axis of the second tube. In yet another embodiment of the apparatus, the cutting edge may be replaceable.

25 [0008] In still another embodiment, the apparatus includes a return guide. The return guide may be positioned on the lever arm and slideably movable within the first tube.

[0009] In a further embodiment, the apparatus includes a catheter.

[0010] In another aspect, the invention provides a method for cutting a suture. The method includes providing an apparatus with a distal cutting end and a proximal control end, the distal cutting end including a first tube defining a lumen and, and a second tube. The second tube is located and slideably movable within the lumen of the first tube. The second tube defines a

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lumen and includes a cutting edge. The second tube is moved to engage the cutting edge with the suture. In one embodiment of the invention, engaging the cutting edge with the suture sections the suture into two segments.

[0011] In still another embodiment, the apparatus is advanced through a catheter positioned in a patient's body. In a further embodiment, the suture is joined to an intracardiac septal occluder.

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## **Brief Description of the Drawings**

- [0012] The aspects of the invention presented above and many of the accompanying advantages of the present invention will become better understood by referring to the included drawings, which show a system according to the invention and in which:
- [0013] Figure 1 is a schematic of the apparatus with a cutaway schematic of the first tube according to an illustrative embodiment of the invention.
- [0014] Figure 2 is a perspective schematic of the second tube at the distal cutting end of the apparatus shown in Figure 1 including a slot and a lever arm according to an illustrative embodiment of the invention.
- [0015] Figure 3 is an illustrative schematic of the apparatus including a cutaway of the first tube at the distal cutting end to illustrate the lever arm with a cutting edge shown in Figure 1 according to one illustrative embodiment of the invention.
- [0016] Figure 4 is an illustrative schematic of the apparatus including a cutaway of the first tube at the distal cutting end to illustrate the lever arm with a cutting edge shown in Figure 1 according to another illustrative embodiment of the invention.
  - [0017] Figure 5 is an illustrative schematic of the lever arm including a pivot according to another illustrative embodiment of the invention.
- [0018] Figure 6 is an illustrative cutaway schematic of the first tube at the distal cutting end of the apparatus shown in Figure 1 including a second tube advanced distally from the first lumen of the first tube according to an illustrative embodiment of the invention.
  - [0019] Figure 7 is a cutaway schematic of the first tube at the distal cutting end of the apparatus shown in Figure 1 including the lever arm in a cutting position and a severed suture according to an illustrative embodiment of the invention.

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[0020] Figure 8 is a cutaway schematic of the first tube at the distal cutting end of the apparatus shown in Figure 1 including a return guide in an open position according to an illustrative embodiment of the invention.

[0021] Figure 9 is a cutaway schematic of the first tube at the distal cutting end of the apparatus shown in Figure 1 including a return guide in a collapsed position according to an illustrative embodiment of the invention.

[0022] Figure 10 is a perspective schematic of the apparatus of Figure 1 including a septal occluder with the distal cutting end of the apparatus positioned in the right atrium of the heart according to an illustrative embodiment of the invention.

10 Description

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[0023] The present invention pertains to an apparatus for cutting a suture. The apparatus may be used to deliver implants, e.g., intracardiac occluders, for example, intracardiac septal occluders manufactured by NMT Medical Inc., Boston, MA. Intracardiac occluders are used to repair congenital or acquired defects in the heart or the major blood vessels, thereof, including interatrial septal shunts, such as a patent foramen ovale, interventricular septal shunts, patent ductus arteriosus and aortic-pulmonary window.

[0024] Figure 1 is an illustrative schematic of the apparatus 100 with a cutaway schematic of the first tube according to an illustrative embodiment of the invention. In one aspect, the invention relates to an apparatus for remotely severing a suture. The exemplary apparatus 100 for cutting a suture includes a proximal control end 1 and a distal cutting end 2. The proximal control end 1 is the end proximal to the operator and used to control the distal cutting end 2. The apparatus 100 also includes a first tube 3, a second tube 5, a lever arm 8, a cutting edge 13, and a pivot 10. In some embodiments, according to the invention, the distal cutting end further includes a return guide (not shown) and/or a spring mechanism (not shown).

25 **[0025]** The distal cutting end 2 of the apparatus 100 for remotely cutting a suture includes a portion of the first tube 3 including a first lumen 4. A second tube 5 is longitudinally disposed within the first lumen 4 of the first tube 3. The second tube 5 includes a longitudinally disposed lumen 6 extending from the proximal control end 1 of the apparatus 100 to the distal cutting end 2 of the apparatus 100. The second tube 5 is slidably moveable within the first lumen 4 of the first tube 3. The first tube 3 is generally elongated and has an external diameter sufficiently

sized, e.g., a diameter 0.03mm and a length approximately 150cm, to allow the first tube 3 to be delivered percutaneously via a vessel to an anatomical site, for example, the atrial septum, in a patient. The first lumen 4 is hollow, typically cylindrically shaped, and has an internal diameter slightly larger than the external diameter of the second tube 5 to allow the second tube 5 to slide within the first lumen 4. The second tube 5 is elongated and has an internal diameter sized to allow the hollow and cylindrical second lumen 6 to pass a suture, for example, single 0 catgut, polyethylene or nylon suture. The second tube 5 also contains a slot 7 sized and shaped to receive the lever arm 8 pivotably attached to the second tube 5. In one embodiment, the first tube 3 is longitudinally and slidably disposed within a catheter 18. In another embodiment, the first tube 3 serves as the catheter 18. Materials for construction of the apparatus include but are not limited to polyethylene block copolymer (Pebax®), polytetrafluoroethylene (PTFE), metals such as stainless steel, a ceramic, or a composite material.

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[0026] Figure 2 is a perspective schematic of the second tube 5 at the distal cutting end 2 of the apparatus 100 including the slot 7 and the lever arm 8 according to an illustrative embodiment of the invention. In one embodiment, the illustrative second tube 5 is a cylindrical tube including a central longitudinal axis 30. The second tube 5 includes two planes, plane 31 and plane 32, perpendicularly intersecting the central longitudinal axis 30 and perpendicular to each other. In one embodiment, the slot 7 is a longitudinal defect in the wall 33 of the second tube 5. In one embodiment, the slot 7 extends through the entire thickness of the wall 33 to the second lumen 6. In one embodiment, the slot 7 is substantially symmetrical about the plane 31 which longitudinally bisects the slot 7. The length 35 of the slot 7 is in the range of about 0.5mm to 10mm, or 1mm to 3mm, preferably. The maximum width 36 of the slot 7 is generally equivalent to the external diameter of the second tube. The slot 7 is sized and shaped to receive the lever arm 8.

25 **[0027]** The illustrative lever arm 8 is generally an inverted U shape in a traverse section, wedge-shaped when viewed from the side, and substantially symmetrical about plane 31. The lever arm 8 pivots about a pivot 10. The axis 34 of the pivot 10 is perpendicular to the axis 30 and parallel to the plane 32. The top 40 of the wedge-shaped illustrative lever arm 8 in a collapsed position is parallel to the longitudinal axis 30 of the second tube 5 and is flush with the outer wall 33 of the second tube 5.

[0028] Figure 3 is an illustrative schematic of the apparatus 100 including a cutaway of the first tube 3 at the distal cutting end 2 to illustrate the lever arm 8 with a cutting edge 13 shown in

Figure 1 according to one illustrative embodiment of the invention. The lever arm 8 pivots about the pivot 10. The top 40 of the wedge-shaped illustrative lever arm 8 is positioned parallel to the longitudinal axis 30 of the second tube 5 and is flush with the outer wall 33 of the second tube 5. The lever arm 8 includes the pivot 10, a lever arm proximal end 12, and a lever arm distal end 9.

- A cutting edge 13 is positioned on the top 40 of the lever arm 8 at the lever arm distal end 9 of the lever arm 8. In one embodiment, illustrated in Figure 3, the cutting edge 13 is a straight edge blade. Alternatively, the cutting edge 13 is tooth-like or pointed such that the cutting edge 13 may pierce and/or fracture a suture.
- [0029] Figure 4 is an illustrative schematic of the apparatus 100 including a cutaway of the first tube 3 at the distal cutting end 2 to illustrate the lever arm 8 with a cutting edge 13' shown in Figure 1 according to another illustrative embodiment of the invention. The illustrative cutting edge 13' biases downward in the direction of the pivot 10 at an angle 11 of about 0 to 90 degrees, preferably about 45 degrees from a line perpendicular to the longitudinal axis of the second tube 5.
- 15 **[0030]** With continued reference to Figure 4, the lever arm 8 includes a pivot 10 according to one illustrative embodiment of the invention. The illustrative pivot 10 pivotably connects the lever arm 8 to the second tube 5. In one embodiment, the pivot 10 with two ends 41, 41' is a transverse rod that passes through a solid portion of the second tube 5 connecting the pivot ends 41, 41' of the lever arm 8 to the second tube 5. The pivot 10 may be located anywhere along the longitudinal axis of the lever arm 8 between the lever arm proximal end 12 and the lever arm distal end 9, preferably located approximately halfway between the lever arm proximal end 12 and the lever arm distal end 9.
  - [0031] Figure 5 is an illustrative schematic of the lever arm 8 including a pivot 10' according to another illustrative embodiment of the invention. The illustrative pivot 10' pivotably connects the lever arm 8 to the second tube 5. In one embodiment, the pivot 10' is a flexible material connecting the pivot ends 41, 41' of the lever arm 8 to the second tube 5 allowing the lever arm 8 to pivot by flexing the flexible material of the pivot 10'.

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[0032] Figure 6 is an illustrative cutaway schematic of the first tube 3 at the distal cutting end 2 of the apparatus 100 including either a second tube 5 advanced distally from the first lumen 4 of the first tube 3 or alternatively the first tube 3 and first lumen 4 retracted proximally from the second tube 5 according to an illustrative embodiment of the invention. The illustrative slot 7 and the lever arm 8 are extended beyond the distal end 20 of the first tube 3. The slot 7 is

sized and shaped to allow the cutting edge 13 to pivot as indicated by arrow 21 into the second lumen 6 of the second tube 5. A biasing mechanism, such as spring 56, urges the lever arm distal end 9 of the lever arm 8 to move from a collapsed position, shown in phantom, to an open position across the longitudinal axis 30 of the second lumen 6. The desired angle 11 of the lever arm 8 relative to a vertical axis perpendicular to the longitudinal axis 30 of the device 100 is in the range of about 0 degrees to about 90 degrees, preferably 45 degrees. As the lever arm 8 pivots on the pivot 10, the lever arm proximal end 12 lifts out of the second lumen 6.

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[0033] Figure 7 is a schematic of the first tube 3 at the distal cutting end 2 of the apparatus 100 including the lever arm 8 in a cutting position extended distally beyond the distal end 20 of the first tube 3, and a severed suture 14 cut by the cutting edge 13 of the lever arm 8 according to an illustrative embodiment of the invention. The illustrative cutting edge 13 cuts the suture 14 into two separate segments.

[0034] Figure 8 is a cutaway schematic of the first tube 3 at the distal cutting end 2 of the apparatus 100 including a return guide 15 in an open position with the lever arm 8 in a cutting position extended distally beyond the distal end 20 of the first tube 3 according to an illustrative embodiment of the invention. In one embodiment, the return guide 15 is a wire loop as illustrated in Figure 9. The wire loop 15 includes two ends 50, 51 joined to the proximal end 12 of the lever arm 8 and an apex 52 that extends proximally from the two loop ends 50, 51. The wire loop 15 includes a bend 53. As the second tube 5 is withdrawn into the first tube 3, or the first tube 3 is advanced distally over the second tube 5, the apex 52 of the wire loop 15 slides into the lumen 4 of the first tube 3. As the distal end 20 of the first tube 3 provides the necessary force to compress the wire loop 15 thereby minimizing the bend 53 in the wire loop 15, the proximal end 12 of the lever arm 8 returns to a collapsed position enclosed within the slot 7.

[0035] Figure 9 is a schematic of the first tube 3 at the distal cutting end 2 of the apparatus
100 including a return guide 15 in the collapsed position according to an illustrative embodiment of the invention.

- [0036] In another aspect, the invention is a method for introducing an implant, such as a septal defect occluder, to an anatomical site in a patient. For example, the invention is a method for implanting a septal occluder to occlude a patent foramen ovale.
- 30 **[0037]** For example, Figure 10 is an illustrative schematic of the apparatus 100 including a septal occluder 17. The distal cutting end 2 of the apparatus 100 is positioned in the right atrium

54 of the heart according to an illustrative embodiment of the invention. The proximal control end 1 is used by an operator to guide the occluder 17 into position at the patent foramen ovale. Once the occluder 17 is positioned as desired, the operator manipulates the control end 1 to urge the second tube 5 distally, or, alternatively, the first tube 3 proximally until the slot 7 and lever arm 8 are extended beyond the distal end 20 of the first tube 3. The cutting edge 13 of the lever arm distal end 9 engages the suture 14. In one embodiment, proximal retraction of the suture 14 draws the suture 14 against the cutting edge 13 thereby severing the suture 14. In another embodiment, further distal advancement of the second tube 5, or, alternatively, withdrawal of the first tube 3 proximally advances the cutting edge 13 through the suture 14, thereby slicing the suture 14 into two segments and releasing the occluder 17. Alternatively, if the cutting edge 13' illustrated in Figure 4 is used, engagement of the cutting edge 13' with the suture 14 fractures the suture 14 such that it may be segmented with minimal tension applied to the suture 14 by the operator.

[0038] Once the occluder 17 is in place as desired and the suture 14 is severed, the short end of the suture 14 is unthreaded from the occluder 17 and drawn through the catheter 18 towards the proximal control end 1. As such, rather than drawing the entire length of the suture 14 that extends from the proximal control end 1 to the occluder 17, only the short length of the segmented suture 14 that extends from the distal cutting end 2 to the occluder 17 is drawn through the occluder 17.

20 **[0039]** Although the present invention has been described with reference to the preferred embodiments, workers skilled in the art will recognize that changes may be made in form and detail with departing from the spirit and scope of the invention.

[0040] What is claimed is:

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#### **Claims**

- 1 1. A suture cutting apparatus comprising:
- a distal cutting end and a proximal control end;
- 3 said distal cutting end further comprising a first tube defining a lumen; and
- a second tube, located and slideably movable within the lumen of said first tube, said
- 5 second tube defining a lumen and comprising a cutting edge.
- 1 2. The apparatus of claim 1 further comprising a lever arm having a proximal end and a
- 2 distal end.
- 1 3. The apparatus of claim 2 wherein said second tube contains a slot for receiving said lever
- 2 arm.
- 1 4. The apparatus of claim 2 wherein said cutting edge is positioned on said distal end of said
- 2 lever arm.
- 1 5. The apparatus of claim 2 further comprising a pivot wherein said pivot is positioned on
- 2 said lever arm.
- 1 6. The apparatus of claim 5 wherein said lever arm is pivotably attached to said distal
- 2 cutting end of said second tube.
- 1 7. The apparatus of claim 2 wherein said lever arm is flexibly attached to said distal cutting
- 2 end of said second tube
- 1 8. The apparatus of claim 2 wherein said lever arm is parallel to the longitudinal axis of said
- 2 second tube when said lever arm is located within the lumen of said first tube.
- 1 9. The apparatus of claim 2 wherein said lever arm forms an angle relative to the
- 2 longitudinal axis of said second tube when said lever arm is outside the lumen of said first tube.
- 1 10. The apparatus of claim 9 wherein said angle is in the range of 0-90°.
- 1 11. The apparatus of claim 9 wherein said cutting edge is angled towards the longitudinal
- 2 axis of said second tube.
- 1 12. The apparatus of claim 9 wherein said cutting edge is substantially perpendicular to the
- 2 longitudinal axis of said second tube.
- 1 13. The apparatus of claim 2 wherein a cross section of the lever arm is generally U shaped.

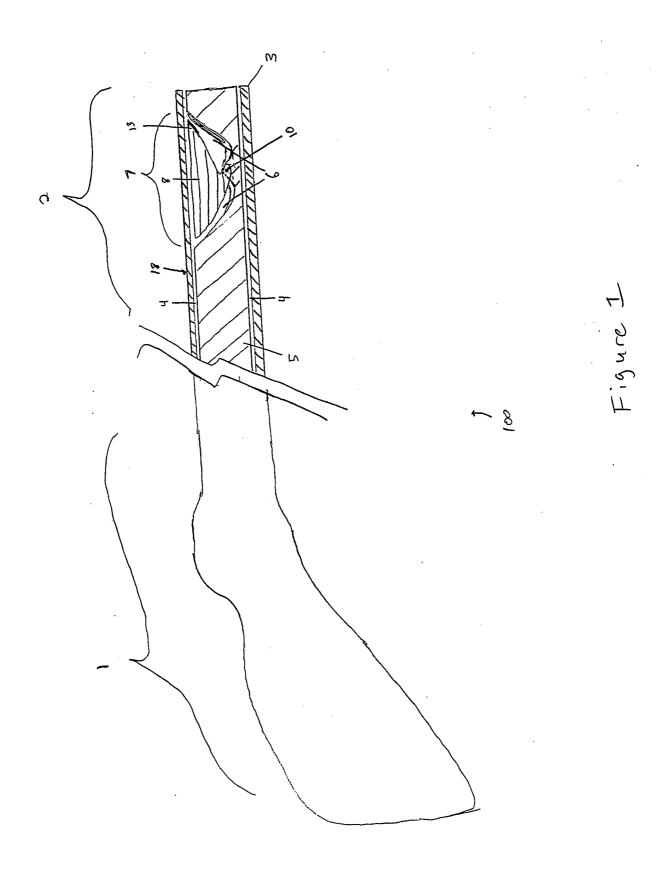
- 1 14. The apparatus of claim 1 further comprising a return guide.
- 1 15. The apparatus of claim 2 further comprising a return guide positioned on said lever arm.
- 1 16. The apparatus of claim 14 wherein said return guide is slideably movable within said first
- 2 tube.
- 1 17. The apparatus of claim 1 wherein said cutting edge is replaceable.
- 1 18. The apparatus of claim 1 further comprising a catheter.
- 1 19. A method for cutting a suture comprising the steps of:
- 2 (a) providing an apparatus comprising a distal cutting end and a proximal control end, the
- distal cutting end further comprising a first tube defining a lumen, and a second tube,
- 4 located and slideably movable within the lumen of said first tube, said second tube
- 5 defining a lumen, and said second tube further comprising a cutting edge; and
- 6 (b) moving the second tube to engage said cutting edge with said suture.
- 1 20. The method of claim 19 wherein engaging said cutting edge with said suture sections said
- 2 suture into two segments.
- 1 21. The method of claim 19 wherein said second tube comprises a lever arm that is pivotably
- 2 attached to said distal cutting end of said second tube, said lever arm further comprising a
- 3 proximal end and a distal end with said cutting edge positioned on said distal end.
- 1 22. The method of claim 19 wherein said lever arm is parallel to the longitudinal axis of said
- 2 second tube while said lever arm is located within the lumen of said first tube.
- 1 23. The method of claim 19 wherein said lever arm forms an angle relative to the
- 2 longitudinal axis of said second tube while said lever arm is outside the lumen of said first tube.
- 1 24. The method of claim 23 wherein said cutting edge is angled towards the longitudinal axis
- 2 of said second tube.
- 1 25. The method of claim 23 wherein said cutting edge is substantially perpendicular to the
- 2 longitudinal axis of said second tube.
- 1 26. The method of claim 19 further comprising advancing said apparatus through a catheter
- 2 positioned in a patient's body.
- 1 27. The method of claim 19 wherein said suture is joined to an intracardiac septal occluder.

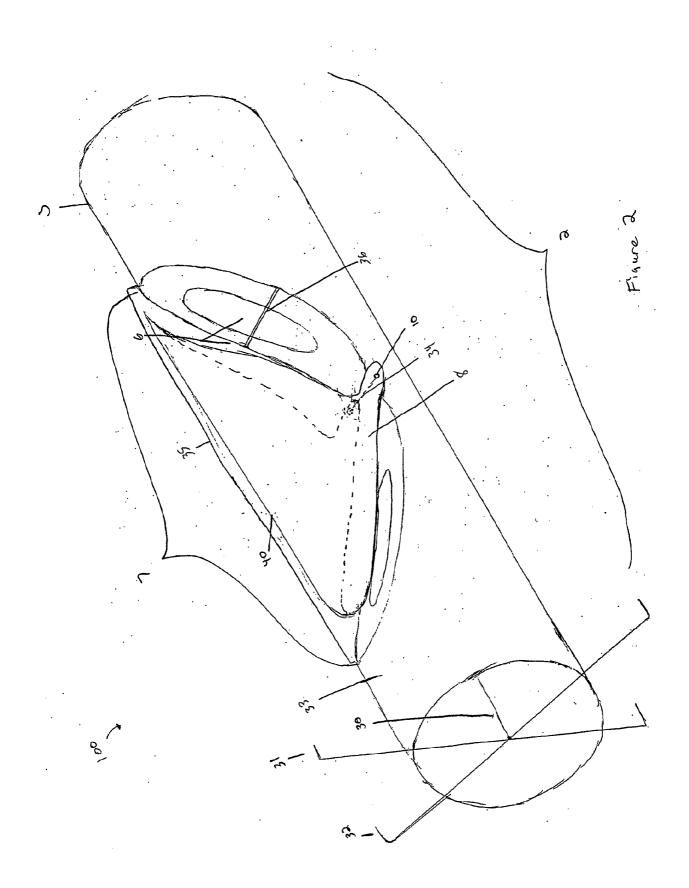
# AMENDED CLAIMS

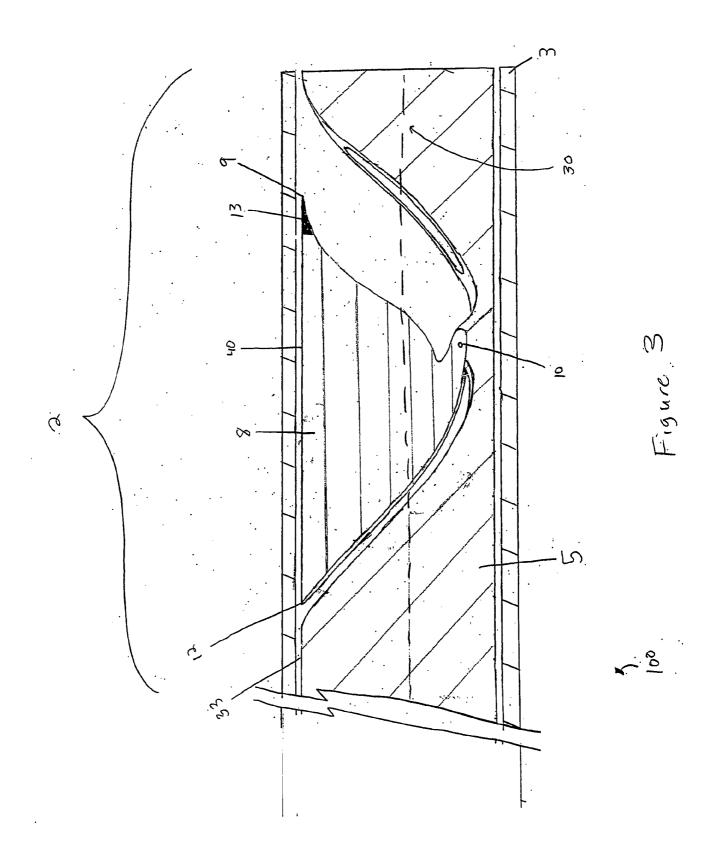
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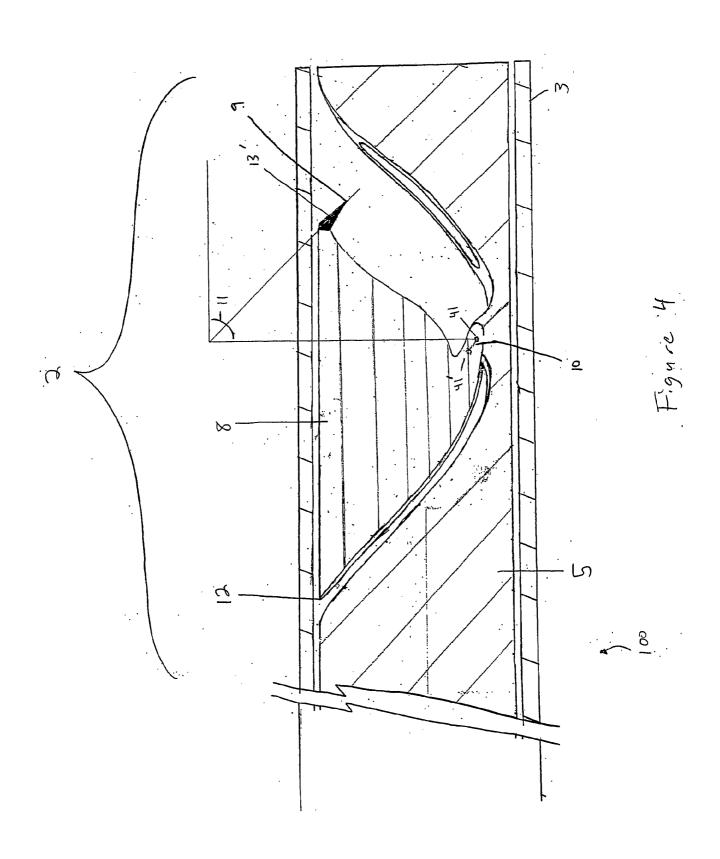
- 1 1. A suture cutting apparatus comprising:
- a distal cutting end and a proximal control end;
- 3 said distal cutting end further comprising a first tube defining a lumen;
- a second tube, located and slideably movable within the lumen of said first tube, said
- 5 second tube defining a lumen; and
- a pivoting blade comprising a cutting edge connected to the second tube at a pivot
- 7 axis.
- 1 2. (Cancelled)
- 1 3. The apparatus of claim 1 wherein said second tube contains a slot for receiving said
- 2 pivoting blade.
- 1 4. The apparatus of claim 1 wherein said cutting edge is positioned on said distal end of
- 2 said pivoting blade.
- 1 5. (Cancelled)
- 1 6. The apparatus of claim 1 wherein said pivoting blade is pivotably attached to said
- 2 distal cutting end of said second tube.
- 1 7. The apparatus of claim 1 wherein said pivoting blade is flexibly attached to said distal
- 2 cutting end of said second tube
- 1 8. The apparatus of claim 1 wherein said pivoting blade is parallel to the longitudinal
- 2 axis of said second tube when said pivoting blade is located within the lumen of said first
- 3 tube.
- 1 9. The apparatus of claim 1 wherein said pivoting blade forms an angle relative to the
- 2 longitudinal axis of said second tube when said pivoting blade is outside the lumen of said
- 3 first tube.
- 4 10. The apparatus of claim 9 wherein said angle is in the range of 0-90°.
- 1 11. The apparatus of claim 9 wherein said cutting edge is angled towards the longitudinal
- 2 axis of said second tube.
- 1 12. The apparatus of claim 9 wherein said cutting edge is substantially perpendicular to
- 2 the longitudinal axis of said second tube.
- 1 13. The apparatus of claim 1 wherein a cross section of the pivoting blade is generally U
- 2 shaped.
- 1 14. The apparatus of claim 1 further comprising a return guide.

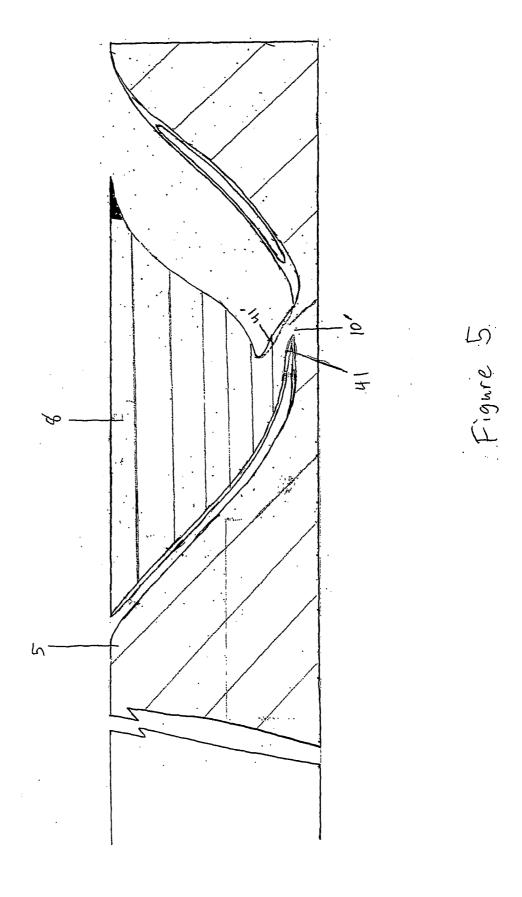
- 1 15. The apparatus of claim 1 further comprising a return guide positioned on said pivoting
- 2 blade.
- 1 16. The apparatus of claim 14 wherein said return guide is slideably movable within said
- 2 first tube.
- 1 17. The apparatus of claim 1 wherein said cutting edge is replaceable.
- 1 18. The apparatus of claim 1 further comprising a catheter.
- 1 19. A method for cutting a suture comprising the steps of:
- 2 (a) providing an apparatus comprising a distal cutting end and a proximal control end,
- 3 the distal cutting end further comprising a first tube defining a lumen, and a second
- 4 tube, located and slideably movable within the lumen of said first tube, said second
- 5 tube defining a lumen, and said second tube further comprising a cutting edge; and
- 6 (b) moving the second tube to engage said cutting edge with said suture.
- 7 20. The method of claim 19 wherein engaging said cutting edge with said suture sections
- 8 said suture into two segments.
- 1 21. The method of claim 19 wherein said second tube comprises a lever arm that is
- 2 pivotably attached to said distal cutting end of said second tube, said lever arm further
- 3 comprising a proximal end and a distal end with said cutting edge positioned on said distal
- 4 end.
- 1 22. The method of claim 19 wherein said lever arm is parallel to the longitudinal axis of
- 2 said second tube while said lever arm is located within the lumen of said first tube.
- 1 23. The method of claim 19 wherein said lever arm forms an angle relative to the
- 2 longitudinal axis of said second tube while said lever arm is outside the lumen of said first
- 3 tube.
- 1 24. The method of claim 23 wherein said cutting edge is angled towards the longitudinal
- 2 axis of said second tube.
- 1 25. The method of claim 23 wherein said cutting edge is substantially perpendicular to the
- 2 longitudinal axis of said second tube.
- 1 26. The method of claim 19 further comprising advancing said apparatus through a
- 2 catheter positioned in a patient's body.
- 1 27. The method of claim 19 wherein said suture is joined to an intracardiac septal
- 2 occluder.











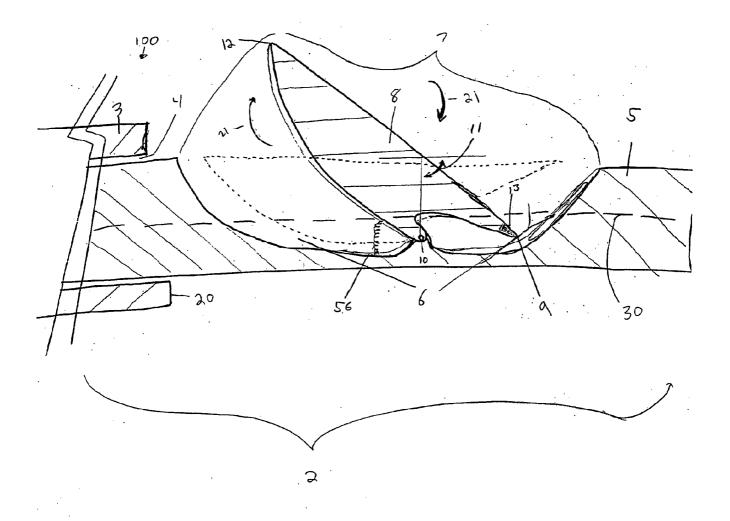
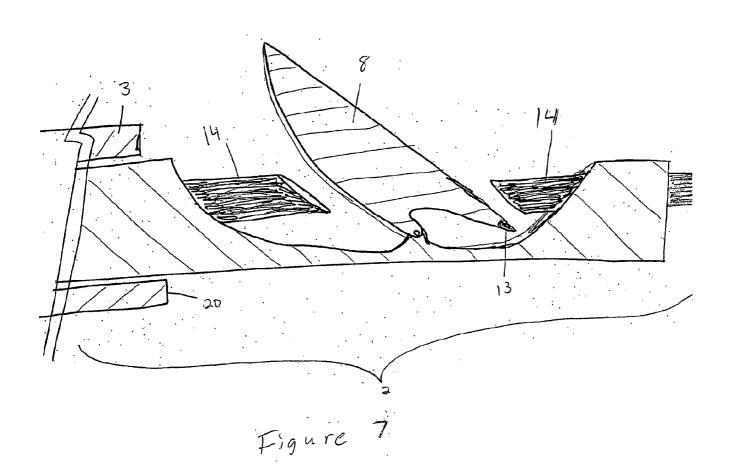
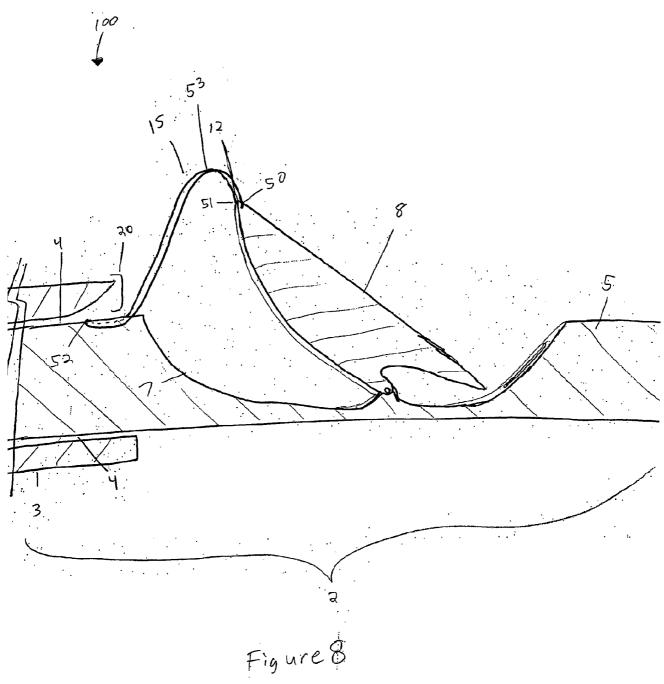


Figure 6







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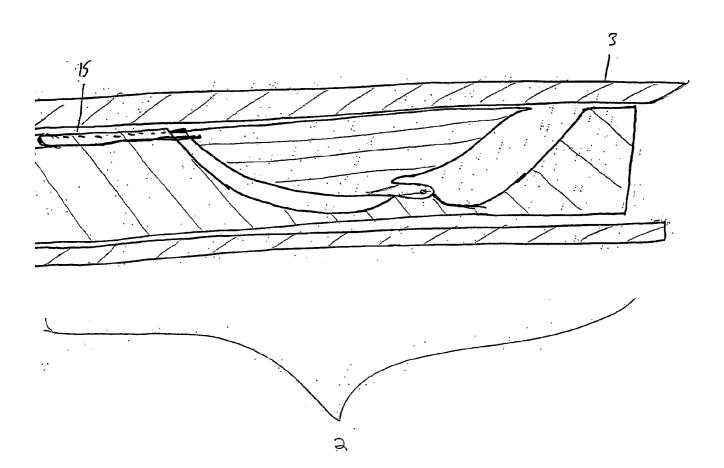


Figure 9

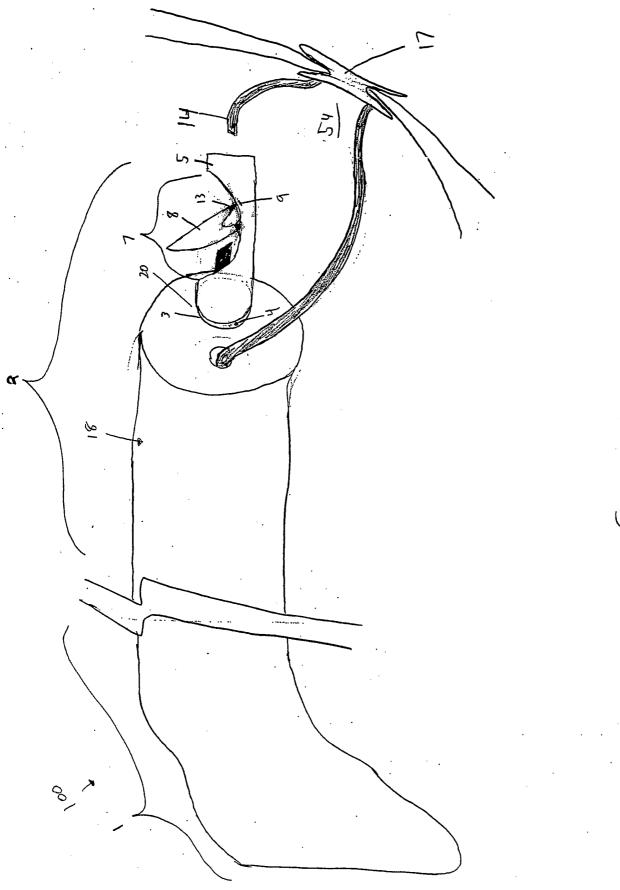


Figure 10

# INTERNATIONAL SEARCH REPORT

Inte onal Application No

A. CLASSIFICATION OF SUBJECT MATTER IPC 7 A61B17/04

According to International Patent Classification (IPC) or to both national classification and IPC

#### B. FIELDS SEARCHED

 $\label{localization} \begin{array}{ll} \mbox{Minimum documentation searched (classification system followed by classification symbols)} \\ \mbox{IPC 7} & \mbox{A61B} \end{array}$ 

Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched

Electronic data base consulted during the international search (name of data base and, where practical, search terms used)

#### EPO-Internal

C. DOCUM	ENTS CONSIDERED TO BE RELEVANT	
Category °	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
Х	US 6 063 096 A (BOEBEL) 16 May 2000 (2000-05-16) column 1, line 6; figure 6	1-18
Χ	US 5 496 331 A (XU) 5 March 1996 (1996-03-05) figures 4,19	1-6, 14-17
X	WO 03/059174 A (ABBOTT) 24 July 2003 (2003-07-24) page 9, paragraph 2; figures 1-7,19	1
X	DE 43 14 463 A (KOSCHER)  10 November 1994 (1994–11–10)  column 1, paragraph 2; figures 1,2  -/	1

X Further documents are listed in the continuation of box C.	Patent family members are listed in annex.				
Special categories of cited documents:  "A" document defining the general state of the art which is not considered to be of particular relevance  "E" earlier document but published on or after the international filling date  "L" document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified)  "O" document referring to an oral disclosure, use, exhibition or other means  "P" document published prior to the international filling date but later than the priority date claimed	<ul> <li>"T" later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention</li> <li>"X" document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone</li> <li>"Y" document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art.</li> <li>"&amp;" document member of the same patent family</li> </ul>				
Date of the actual completion of the international search 21 October 2004	Date of mailing of the international search report $10/11/2004$				
Name and mailing address of the ISA  European Patent Office, P.B. 5818 Patentlaan 2  NL - 2280 HV Rijswijk  Tel. (+31-70) 340-2040, Tx. 31 651 epo nl,  Fax: (+31-70) 340-3016	Authorized officer  Barton, S				

### INTERNATIONAL SEARCH REPORT

Interpretation No PCT/US2004/018119

ation) DOCUMENTS CONSIDERED TO BE RELEVANT	
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DE 199 05 311 A (OLYMPUS) 26 August 1999 (1999-08-26) figure 6	1
US 5 797 907 A (CLEMENT) 25 August 1998 (1998-08-25) figures 7,12	1
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	DE 199 05 311 A (OLYMPUS) 26 August 1999 (1999-08-26) figure 6  US 5 797 907 A (CLEMENT) 25 August 1998 (1998-08-25) figures 7,12  DE 92 14 580 U (SCARFI) 3 March 1994 (1994-03-03) figure 1  US 5 242 459 A (BUELNA) 7 September 1993 (1993-09-07)  US 5 292 327 A (DODD) 8 March 1994 (1994-03-08)  US 4 069 825 A (AKIYAMA)

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# INTERNATIONAL SEARCH REPORT

Box II	Observations where certain claims were found unsearchable (Continuation of item 2 of first sheet)
This Inte	rnational Search Report has not been established in respect of certain claims under Article 17(2)(a) for the following reasons:
1. χ	Claims Nos.: 19-27 because they relate to subject matter not required to be searched by this Authority, namely:  Rule 39.1(iv) PCT - Method for treatment of the human or animal body by surgery
2.	Claims Nos.: because they relate to parts of the International Application that do not comply with the prescribed requirements to such an extent that no meaningful International Search can be carried out, specifically:
3.	Claims Nos.: because they are dependent claims and are not drafted in accordance with the second and third sentences of Rule 6.4(a).
Box III	Observations where unity of invention is lacking (Continuation of item 3 of first sheet)
This Inte	ernational Searching Authority found multiple inventions in this international application, as follows:
1.	As all required additional search fees were timely paid by the applicant, this International Search Report covers all searchable claims.
2.	As all searchable claims could be searched without effort justifying an additional fee, this Authority did not invite payment of any additional fee.
3.	As only some of the required additional search fees were timely paid by the applicant, this international Search Report covers only those claims for which fees were paid, specifically claims Nos.:
4.	No required additional search fees were timely paid by the applicant. Consequently, this International Search Report is restricted to the invention first mentioned in the claims; it is covered by claims Nos.:
Remar	The additional search fees were accompanied by the applicant's protest.  No protest accompanied the payment of additional search fees.

# INTERNATIONAL SEARCH REPORT

Information on patent family members

Ints ional Application No PCT/US2004/018119

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